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REPORT OF THE SECRETARY-GENERAL PREPARED PURSUANT TO RESOLUTIONS 1160 (1998), 1199 (1998) AND 1203 (1998) OF THE SECURITY COUNCIL

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998 and 1203 (1998) of 24 October 1998. It covers the period since my most recent report of 4 December 1998 (S/1998/1147).

II. COMPREHENSIVE REGIME TO MONITOR THE IMPLEMENTATION OF THE PROHIBITIONS IMPOSED BY THE SECURITY COUNCIL IN RESOLUTION 1160 (1998)

2. The second consultative meeting of organizations participating in the comprehensive monitoring regime was held on 14 December 1998 in Vienna. Representatives of the Danube Commission, the European Union, the North Atlantic Treaty Organization (NATO), the Organization for Security and Cooperation in Europe (OSCE), the Western European Union and the United Nations Preventive Deployment Force (UNPREDEP) Force Commander exchanged information on the monitoring of the prohibitions established by the Council in resolutions 1160 (1998) and 1199 (1998) and addressed practical issues arising in that regard.

III. SITUATION IN KOSOVO

3. This section of the report is based on information provided by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights, the Kosovo Diplomatic Observer Mission and individual Member States. The report also includes information submitted by the Chairman-in-Office of OSCE (see annex I).

4. Since my last report was issued, the situation in Kosovo has not significantly improved and there are alarming signs of potential deterioration. While various sources report that the ceasefire is still holding, there are indications of growing tensions on the ground. During the first half of

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December, violence reached its highest level since the 16 October Agreement; more than 50 persons have died in violent attacks.

5. Meanwhile, despite the efforts of Ambassador Christopher Hill of the United States of America and the European Union Envoy, Ambassador Wolfgang Petritsch of Austria, to bring the parties concerned to the negotiation table, there has been no progress in the political dialogue in Kosovo. Recent statements by both sides regarding the draft agreement proposed by Ambassador Hill indicate that there is considerable distance between the positions of the parties and that they are far from engaging in meaningful negotiations.

6. Though no additional abduction cases have been reported since mid-November, the fate and whereabouts of abducted persons remain unknown and family members and others have begun to organize public protests and appeals to representatives of OSCE. These protests, which have also addressed arbitrary detentions, have failed to obtain satisfactory results or information. Reports continue to be received concerning arbitrary detention and systematic ill-treatment of persons in police detention and pre-trial detention.

Returns

7. Despite tensions, displaced persons continue to return to their homes. UNHCR estimates that some 100,000 people have now returned, while some 200,000 remained displaced within Kosovo. The estimated number of internally displaced persons has increased based on the evidence obtained from the first phase of the shelter survey, and on figures cited by the Yugoslav state media on 14 December.

8. As winter's cold weather has arrived, more people are seeking to return home, encouraged in part by the growing presence of humanitarian agencies and the Kosovo Verification Mission. Returns began even to such "sensitive" locations as Junik, near the Albanian border; the Djakovica area; and Lodja, a village near Pec. Potential returnees have made tentative visits even to the Malisevo area. According to UNHCR, some 1,300 of the 6,000 residents of Junik who had fled during the Government offensive in August have returned, although the army and police have maintained a heavy presence in the area as they consider it one of the key routes in trafficking of illegal weapons and personnel of Kosovo Albanian paramilitary units. On 11 December, UNHCR and the Observer Mission escorted the first group of 16 displaced persons back to Lodja. They had expressed a wish to rebuild their houses which had been severely damaged last August. The return was preceded by assurances from police officials in Pec that returnees would not be harmed. Since the area has been almost totally destroyed, the repair of the local school will take priority so that it can be used as a temporary shelter while returnees rebuild their homes.

9. These returns indicate the genuine desire of many displaced persons to return home. However, the process is impeded by the lack of housing and adequate security mechanisms to monitor returnees' reintegration into their respective communities. Other returns, however, have taken place in situations of continued tension and sporadic clashes and under far from ideal conditions, apparently as a result of desperation and the lack of other options. Difficulties in paying for accommodation in the places of refuge and the worsening winter weather prompted many of the displaced to opt for return.

10. Among those who have returned are some 10,000 who previously sought safety in Montenegro. The number of displaced in Montenegro is at present estimated at 27,000. Bosnia and Herzegovina now hosts an estimated 10,000 refugees from Kosovo, of whom 6,700 have registered with UNHCR. Some of them have already requested assistance to repatriate. According to the latest registration of refugees from Kosovo in Albania, there are some 24,000 persons there. In addition, it is estimated that there are still some 20,000 displaced persons from Kosovo in other areas of Serbia. The latter figure might be growing, as there are some indications of fear among the Serbian inhabitants of remote villages as Kosovo Albanians return.

Obstacles to returns/security

11. On 20 November, two policemen were killed and three injured in a suspected ambush by Kosovo Albanian paramilitaries in Prilep. On 3 December, 12 Albanians were killed in separate incidents, 8 by Yugoslav Army border guards in the area of the Gorozup watchtower, 1 by Kosovo Albanian paramilitaries along the Pristina-Pec road and 3 others on a main street in downtown Pristina under circumstances which are unclear.

12. Not only has the number of persons killed increased dramatically, but during the reporting period there were violent incidents in heavily populated urban centres. On 4 December, an armed confrontation between Serbian security personnel and Kosovo Albanian paramilitaries occurred in the hospital compound in Pec, resulting in the death of one of the Kosovo Albanians. On 11 December, three Kosovo Albanian men - a policeman, and two state company employees - were killed in Glogovac. On 14 December, 34 violent deaths occurred in two separate incidents. Thirty Albanians were killed and 12 wounded near the Gorozup and Liken border posts in fighting between Yugoslav border guards and a group of armed Albanians. That same day, two masked men entered and attacked patrons in a cafe in Pec, killing six Serbs. On 18 December, the Deputy Mayor of Kosovo Polje was kidnapped and murdered.

13. Following the 13 October accord between President Slobodan Milosevic and United States Special Envoy Richard Holbrooke, Kosovo Albanian paramilitary units have taken advantage of the lull in the fighting to re-establish their control over many villages in Kosovo, as well as over some areas near urban centres and highways. These actions by Kosovo Albanian paramilitary units have only served to provoke the Serbian authorities, leading to statements that if the Kosovo Verification Mission cannot control these units the Government would. The local authorities have indicated to UNHCR that they would not allow "terrorists to take over Kosovo". Government officials have warned that recent incidents, particularly attempts by the armed groups to cross into Kosovo from Albania and killings of civilians, would justify a renewal of operations against Kosovo Albanian paramilitary units.

14. In this regard, serious apprehension of a new cycle of major hostilities has been expressed by different sources. While Kosovo Albanian paramilitary units are taking an increasingly bold stance, the Serbian police force is responding by increasing patrols and the use of mobile checkpoints. Some reports suggest that the number of Yugoslav Army and Serbian special police units deployed in Kosovo may exceed agreed figures.

15. The persistent insecurity reinforces UNHCR's position of not promoting return from areas outside Kosovo. However, where individuals clearly express their wish to repatriate, UNHCR will facilitate their return, seeking clearance, ensuring that they possess the necessary documentation and providing transport assistance, if appropriate. UNHCR will monitor the security situation of returnees and of those who remain displaced within Kosovo and will assess their material needs.

Abductions

16. The lack of information about the fate of persons abducted by Kosovo Albanian paramilitaries has given rise to growing impatience among the families and their affected communities. According to information received from the authorities of the Federal Republic of Yugoslavia, as of 7 December, 282 civilians and police have been abducted by Kosovo Albanian paramilitary units, 136 of whom are sill unaccounted for. On 9 December, the political spokesperson of the Kosovo Albanian paramilitary units, Adem Demaqi, noted publicly that he had made efforts to release abducted Serb civilians and that he expected "the Serbian side" to do the same. However, Mr. Demaqi admitted that he feared that many persons listed as missing had been killed in clashes between the police and Kosovo Albanian paramilitary units during the summer offensive. On 10 December, Kosovo Serbs from Orahovac organized a march to the Kosovo Albanian paramilitary-controlled area of Dragobilje, demanding information about the fate of the missing. The march proceeded without incident, owing mainly to the mediation of the Kosovo Diplomatic Observer Mission, and concluded with a meeting between Serb and Kosovo Albanian representatives. On 11 December, Serb civilians from the Urosevac area held a group of five national and international humanitarian workers for approximately eight hours, demanding that they be exchanged for two Serbs abducted in July. The group was released through the intervention of the Observer Mission. On 14 December, relatives and supporters of abducted Serbs demonstrated outside the OSCE headquarters in Pristina; a letter was submitted to Ambassador Walker requesting OSCE to take concrete steps to resolve the issue.

Visit of the United Nations High Commissioner for Refugees to the Federal Republic of Yugoslavia

17. The purpose of the visit of the High Commissioner for Refugees to the Federal Republic of Yugoslavia from 20 to 22 December was to review the effectiveness of the United Nations humanitarian action in the new situation and to ensure that there was a solid foundation for close cooperation between the Kosovo Verification Mission and the humanitarian action led by UNHCR. In Kosovo she met senior government officials and Ambassador William Walker, the Head of the Verification Mission, with whom she visited returnees who in some cases were repairing their homes, and met Croatian refugees at a collection centre. In Belgrade, the High Commissioner met with President Milosevic and other senior officials.

18. In her meeting with the President at the end of her mission, the High Commissioner reviewed the assistance programme and discussed possible solutions for the problem of over 500,000 refugees from earlier conflicts in the region as well as the humanitarian situation in Kosovo. With regard to the latter issue,

the High Commissioner noted significant positive changes that had occurred since her last meeting with the President three months ago. The conflict which had caused large-scale displacement had effectively ceased in October and many persons had returned to their villages, if not to their homes. The humanitarian operation was now able to meet the challenge and an immediate humanitarian catastrophe had been averted.

19. The High Commissioner strongly condemned acts of violence and intimidation against all civilians. She noted that many Kosovo Albanians feared detention on suspicion of having been involved in the conflict and that this was adversely affecting the prospects for the return of those still displaced, as well as the sustainability of the returns that had occurred. A number of those she had met had asked her about an amnesty and she recalled earlier exchanges on the subject with President Milosevic and the authorities. The High Commissioner expressed her concern that the necessary safeguards on return would not be in place at the time they were most needed, and requested the President to adopt an amnesty law as soon as possible. Such an amnesty was a key component of confidence-building in any post-conflict return and would contribute to the declared aim of the authorities of finding a political solution without delay.

20. The High Commissioner also underlined the importance of the restoration of essential services, such as electricity, and the need to help health and education services recover from the effects of the conflict. President Milosevic said that the restoration of such services was a high priority, but adversely affected by acts of violence committed by "terrorists".

Aid/shelter programmes

21. UNHCR and non-governmental organizations (NGOs) are conducting the second phase of the shelter survey, which will cover some 500 more villages in western and central Kosovo.

22. At the same time, UNHCR is providing assistance to those returnees undertaking major repairs of their houses. Some 450 houses in 31 villages are currently undergoing repairs using startup kits from UNHCR and other aid agencies, including heavy-duty tarpaulin and wooden beams and fillets, battens for window and door frames, boards, nails and tools. UNHCR has also distributed 4,500 shelter kits for minor repairs, which include plastic sheets, wood, nails and hammers, thus facilitating the preparation of at least one room in the house for the winter.

23. One of the most significant problems in Kosovo facing people affected by the fighting has been the lack of food. Wheat flour stored for the winter has often been either looted or burned. Thousands of livestock have been killed. Farmers missed the October planting season. Thus many displaced persons will depend on donated food supplies well into 1999.

24. In addition to the six-days-per-week deliveries of food and other humanitarian assistance coordinated by UNHCR from Pristina, aid distribution has begun in Pec. Convoys from Pec will deliver assistance to nearby villages and remote areas in Decane and Klina. Another distribution centre is scheduled to begin operations from Prizren and will distribute food supplies to 10

municipalities in southern Kosovo. These decentralized distribution centres will expand the capacity of UNHCR and other humanitarian organizations to deliver needed relief supplies to a larger group of people, targeting more areas.

Security of the humanitarian personnel

25. Humanitarian agencies in general have unhindered access to all areas of Kosovo. Although Kosovo Albanian paramilitary units have not directly posed a threat or any obstacles to the delivery of humanitarian aid, their practice of laying mines and engaging in sporadic clashes with the Serbian police clearly create a risk for humanitarian workers. No harassment of aid workers by the Government forces has been reported.

Coordination with the Kosovo Verification Mission

26. Although the Kosovo Diplomatic Observer Mission has significantly increased in size and presence, the operational date and deployment of the Verification Mission remain delayed and expectations of large-scale presence of international verifiers on the ground have not been met. OHCHR field staff report that civilians in urban areas and villages are pointing increasingly to unfulfilled expectations and to even further delays in deployment likely to be caused by the traditional winter holidays. The combination of unfulfilled expectations of international confidence-building, dramatic incidents of urban-area violence and border clashes is exacerbating an already grave human rights situation.

27. UNHCR has systematically continued briefings for the incoming observers of the Verification Mission at their induction sessions. With four liaison officers now in place, UNHCR maintains daily contact between the Mission and the humanitarian agencies on staff security and humanitarian issues. The basis is being laid for a functional and effective working relationship, similar to the one developed with the Diplomatic Observer Mission. As with the Observer Mission, UNHCR, on behalf of all humanitarian agencies, is establishing a mechanism for exchange of information with the Verification Mission to promote conditions that would spur returns to those areas where return is feasible.

28. The Head of the Verification Mission assured the High Commissioner for Refugees during their meeting that the Mission would support the humanitarian action in every way possible consistent with its mandate and primary task. The High Commissioner assured him of close coordination on the part of UNHCR in order to make the best possible use of the potential of the Mission to contribute, with its rapidly expanding field presence, to creating conditions that allowed sustainable return and in helping identify humanitarian needs. They recognized that a good foundation for this cooperation had already been laid, including, for example, with information provided for the humanitarian actors by the Verification Mission Mine Action and Information Centre, with which UNHCR works very closely.

Trials and detainees

29. The trials reported upon at length in my previous report continue on a daily basis, according to a regular court schedule. Trials have now been

scheduled additionally in the court districts of Gnjilane and Prokuplje. Several proceedings were delayed or rescheduled for the period of the traditional December holidays, which are not observed as holidays in the Federal Republic of Yugoslavia. The Office of the United Nations High Commissioner for Human Rights observes that the proceedings so rescheduled involve especially large groups of defendants or incidents and operations of an especially sensitive nature. The Office's complement of trial monitors will not decrease during the December holiday period and the Office continues to meet with court officials, prosecutors and defence attorneys, and to monitor proceedings.

30. The absence of an amnesty law continues to be a major hindrance to confidence among the population. While paragraph 10 of the Serbian Government's statement of 13 October on the accord between President Milosevic and United States Special Envoy Richard Holbrooke envisaged an amnesty, the present practice of the Serbian authorities contradicts it. UNHCR expressed its concern over this situation in a letter dated 9 December addressed to the Deputy Federal Prime Minister, highlighting the importance of an amnesty in the context of confidence-building and requesting an opportunity to discuss with the competent officials the specific provisions of such a law while it was still in draft form.

31. In view of regular reports of ill-treatment of detainees and of the continuing absence of an elaborated policy to implement paragraphs 10 and 11 of the 13 October accord, the Office of the High Commissioner for Human Rights pursued its efforts to review implementation options. To that end, the Office met with representatives of the Kosovo Albanian political leadership and continues to correspond with the Serbian Ministry of Justice. On 18 November, the Ministry responded in writing to inquiries by the Office regarding the whereabouts and status of named detainees, largely humanitarian and medical workers and juveniles. On 27 November, the Office asked the ministry about 46 additional cases of reported human rights violations, largely of the elderly, young persons and invalids.

Forensic investigation

32. On 10 December, Serbian security forces refused to allow a team of Finnish forensic investigators, accompanied by the Ambassador of Finland to the Federal Republic of Yugoslavia, to proceed without a police escort to the site of Gornje Obrinje. Serbian authorities pointed to a provision of the forensic investigators' terms of reference which permits Serbian Government presence during the investigations. The Finnish team noted, however, that the excessive police and military presence (two buses of security forces, two armed personnel carriers and six armoured vehicles) was likely to provoke action by Kosovo Albanian paramilitary units and would thus endanger the team. After a formal protest, the chief of the forensic team met with the Minister of Justice of Serbia. The Minister reportedly assured him that such an incident would not be repeated and proposed that only one investigative judge and two Serbian forensic experts accompany the team.

IV. OBSERVATIONS

33. It bears repeating that the problems in Kosovo can be resolved only by political means through negotiations between the parties directly concerned. I urge all parties concerned to engage without delay in such negotiations; the lack of agreement so far has a direct bearing on the current volatility. The tireless efforts of Ambassador Christopher Hill of the United States and of the European Union Envoy, Ambassador Wolfgang Petritsch, aimed at finding a peaceful political settlement in Kosovo merit the support of all those wishing to set Kosovo on a positive course. Progress in this direction is all the more pressing in view of the increased levels of violence in Kosovo in December and its spread to urban areas, which earlier remained relatively untouched by the hostilities. These actions put at risk the entire peace process and could trigger a renewal of fighting in the coming months.

34. Should the worst happen, it would be very difficult for the humanitarian action to meet the resulting needs, still less encourage those affected to return and rebuild their homes and lives once more, which reinforces my conviction that those in a position to influence developments must spare no effort to find a negotiated settlement in early 1999, before it is too late.

35. I urge all the parties concerned to honour their obligations under the 16 October Agreement and to refrain from actions that could provoke resumed hostilities that would only lead to the further suffering of civilians. Continued instability in Kosovo impedes the return process and has the potential to jeopardize humanitarian efforts.

36. In this regard, the completion of the full deployment of the Kosovo Verification Mission should become a decisive factor for stability and confidence-building in Kosovo. The United Nations agencies that have a presence on the ground will continue developing their cooperation with the Verification Mission in order to coordinate efforts aimed at the restoration of normal life in Kosovo. It is my hope that the Verification Mission will soon be fully deployed and that it will be in a position to provide the Security Council with information on the compliance by the parties by the time of my next report as well as on the situation in Kosovo in accordance with the Security Council request in resolutions 1160 (1998) and 1199 (1998). With regard to the absence of a field capacity on the ground, except in the humanitarian and human rights field, I would hope that the Kosovo Verification Mission would assume such reporting by early February and would accordingly discontinue it, except as concerns the humanitarian and human rights situation, in order to eliminate duplication.

Annex I

Information on the situation in Kosovo and measures taken by the Organization for Security and Cooperation in Europe, submitted pursuant to paragraph 13 of Security Council resolution 1160 (1998) (November/December 1998)

General situation

1. Low-intensity conflict with incidents and moments of increased tension has continued in Kosovo since 20 November. A single armed clash in mid-December between armed Kosovo Albanians, later described as "our soldiers" by the Kosovo Liberation Army (KLA), and forces of the Federal Republic of Yugoslavia near Prizren was a significant exception to this trend.

2. The principal area of concern continues to be the western region of Kosovo, centred on the triangle formed by Malisevo and the border zone adjacent to the towns of Pec, Dakovica and Prizren. KLA activity in the area of Podujevo to the north of Pristina is an emergent source of tension. The number of demonstrations by members of the Serb community is increasing. There are indications that they may be politically motivated and that the Kosovo Albanian community is poised to follow suit.

3. There have been a number of violations of the ceasefire during the reporting period. These include KLA attacks on Serb police (MUP) vehicles, typically carried out with rocket-propelled grenades and small arms fire. Incidents like these were reported in Prilep, Dolovo, Klina and Zociste. Police also invited the Kosovo Diplomatic Observer Mission (KDOM) to investigate two other incidents on the Decani-Djakovica road in which police vehicles had been destroyed. A joint patrol of MUP and KDOM was fired upon in the general area of Belanci.

4. Armed clashes between uniformed groups of Kosovo Albanians and the Serbian security force continue to occur. The most significant of these occurred on 14 December where 31 Kosovo Albanians were killed in the border region near Prizren and 9 were taken prisoner. An attack by two gunmen in a Pec bar later that day killed six Serb youths and worsened a tense situation. The Serb authorities blamed the KLA; the KLA blamed criminals. Further reports of clashes were investigated by KDOM during the reporting period, notably in Planeja, west of Prizren, where eight corpses and ammunition were found at the scene. The funeral that followed in Velika Krusa was attended by 2,000 to 3,000 people and 25 uniformed members of the KLA.

5. Incidents of kidnap and abduction continue to create tension and division in Kosovo. KDOM successfully negotiated the release of a Serbian policeman held by the KLA since 19 November and two Tanjug journalists who had been held by the KLA for two months. Demonstrations and protests by members of the Serbian community about the missing have increased, with activity centred on the Serb town of Orahovac, east of Dakovica. The area encompassed by such protests has begun to spread. A group of 700 protestors, led by the mayor of Orahovac, marched from Orahovac to the KLA-dominated town of Dragobilja in a potentially

tense confrontation largely defused by members of the Organization for Security and Cooperation in Europe (OSCE) Kosovo Verification Mission (KVM). Demonstrations have taken place twice outside the KVM headquarters at Pristina in which the crowd requested action to release Serb abductees.

6. Local agreements brokered by KDOM have proved useful in decreasing tension in some areas but levels of KLA cooperation differ; some local commanders agree to maintain a discreet posture in their areas of operation, while others are more assertive. Central control and unified political and military strategy are increasingly visible aspects of KLA activity and it remains true that KLA forces seek to fill the vacuum left by the withdrawal of Serb forces. This trend has created perceptible frustrations among the Serb authorities and an unwillingness to further cede "control" of territory. This is now marked in Podujevo, a town north of Pristina astride the principal road into Kosovo from northern Serbia, where the KLA have been seen constructing bunkers overlooking the route.

7. Isolated incidents of vandalism directed at the international community were reported, resulting in minor damage to parked vehicles. Occasional verbal abuse and stone throwing was also reported by KVM and NGO staff.

Situation of the civilian population

8. Sources of the Office of the United Nations High Commissioner for Refugees (UNHCR) estimate that 75,000 internally displaced persons (IDPs) have returned to their homes in central and western Kosovo. There are now no refugees known to be living in the open in the region but serious sheltering problems remain. Uncertainty or fear in the minds of IDPs remains the principal factor affecting returns. Where KVM and KDOM presence has been frequent, permanent returns have been substantial; in areas where such presence has been less visible, or where MUP presence has continued, the pace of return has been affected. Return trends continue to vary by region. In Decani and Junik, south of Pec, significant returns have occurred; returns to areas close to the Albanian border have been more tentative; and there have been few returns to the area of Malisevo, north of Prizren, though many of the houses in the area remain habitable.

9. MUP presence, particularly in Malisevo, continues to hamper the refugee return process. Examples include complaints by the villagers of Semetesite (north-west of Suva Reka) of harassment at a MUP checkpoint, and returnee concern about the proximity of a MUP observation point in Vitak (south-east of Klina). In the Serb village of Svinjare (south of Mitrovica), KDOM officials were informed that some members of the Serb community were refugees from neighbouring areas and were afraid to return home because of KLA threats. KDOM received complaints about a MUP checkpoint in the area of Movjalne (north-west of Prizren). MUP maintained it was vital for the protection of 15 Serb families living there; Kosovar Albanians complained that it was preventing the return of Kosovo Albanians to an essentially Albanian area. KDOM members patrolling Podujevo (north of Pristina) were informed that the KLA had been denying Serb IDPs access to villages in the area to the north of the town.

10. UNHCR published a survey of the shelter situation in 20 of the 29 municipalities of Kosovo, which, in conjunction with other NGOs, assessed the needs of 285 villages in those areas. Two hundred ten of them were found to

have been affected by the conflict, with 30 per cent of the houses destroyed, a further 30 per cent of houses suffering minor to major damage and 40 per cent left undamaged. Whereas the pre-conflict population of the villages was 349,657, the current population was 88,950 and the IDP population was 24,177, some 24 per cent of the total.

11. UNHCR has reorganized its regional structure to reflect that of the OSCE Kosovo Verification Mission, with distribution points now decentralized to the main towns of Pec, Prizren and Mitrovica. Food delivery responsibilities have been divided by area with Catholic Relief Services, Mercy Corps International and the World Food Programme (WFP). Aid delivery operations by humanitarian organizations have been hampered by winter weather and food supply shortages. The International Committee of the Red Cross (ICRC) has assisted with the shortfall. Kosovo's current food requirement stands at 3,600 tons per month, to feed 300,000 IDP returnees and host families.

Refugee influx

12. The situation of refugees in Albania is closely followed by the OSCE presence in Tirana. There was a slight improvement during the reporting period. The number of refugees currently in Albania remains unclear but is estimated to be 23,000. The registration process, crucial for accurate and targeted supplies, is not properly under way. This has caused instances of food shortages and of oversupply and has made the calculation of future needs difficult.

13. The situation of refugees is especially difficult in the north-east of Albania where the number of refugees is estimated at 3,000. Refugees in the Tropoje District, numbering up to 1,500, have not received aid for almost two months owing to the lack of security for aid agencies in the area. These refugees have been offered transport to other locations where the security situation permits aid agencies to supply them on a regular basis. OSCE gave initial assistance in providing administrative arrangements for their transport. A large number of the refugees who decided to leave Bajram Curri chose to go to Tirana and Durres and not to collection centres.

14. Refugees in the districts of Kukes and Has suffered food shortages owing to miscalculation of the number of refugees in the area (1,100), coupled with the fact that supplies were delayed in reaching the districts. Relief agencies are unwilling to stockpile food because of the security situation. The appalling road conditions, together with the weather and the scarcity of transport, are additional difficulties faced in determining whether refugees received aid.

15. The number of crossings from Kosovo into Albania during the reporting period was estimated to be very low, with most taking place in the area of Dobruna.

16. The Holbrooke Agreement raised expectations that a safe return to Kosovo would be feasible in the near future and resulted in a number of representatives of refugees in Albania approaching OSCE field offices requesting that their return be facilitated as soon as possible. It was initially feared that many refugees would try to return on their own initiative, running the risk of

entering minefields or being mistaken by Federal Republic of Yugoslavia forces as KLA infiltrators. By mid-November, only a limited number of refugees had crossed using this dangerous route and the message that they should wait a few more months before returning in an orderly manner seems to have been accepted, not least because many are still unhappy with the current security situation in Kosovo. The issue of refugee return is one that will need to be addressed between the relevant authorities in Albania and the Federal Republic of Yugoslavia.

Kosovo conflict spillover potential

17. The OSCE presence in Albania, the OSCE spillover mission to Skopje and the OSCE missions to Bosnia and Herzegovina and to Croatia continue to follow closely the spillover potential of the Kosovo conflict.

18. During the reporting period, the situation on the Albanian border with Kosovo (Federal Republic of Yugoslavia) was relatively calm. Some isolated incidents occurred. Bad weather and poor road conditions continued to hamper movement and monitoring along the border areas. By mid-December, tension had increased at the border between Albania and Kosovo (Federal Republic of Yugoslavia) after several border incidents. This was seen as an indication that the KLA had become more active after a quieter preparatory period.

19. Very limited KLA movement was observed in the Has District, although the existence of a KLA training camp with about 10 fighters near the border was reported at the beginning of December. Overall activity remains limited and is probably constrained by poor weather.

20. During December, poor weather conditions limited OSCE Mission members' movement, precluding accurate observation, but no movement of any kind could be seen within the immediate areas of Kosovo adjacent to the border.

21. Few border incidents occurred during the period but previous incidents had led the Albanian Foreign Minister in mid-December to state that the Federal Republic of Yugoslavia authorities were ignoring an agreement on border incidents signed by both countries obliging the parties to verify and confirm any border incidents through a bilateral commission.

22. In his address to the OSCE Ministerial Council Meeting in Oslo on 2 December, Foreign Minister Milo of Albania said that his Government is ready "to cooperate with OSCE and other international organizations committed to Kosovo". He added that pressure should continue to be applied on Belgrade to find a satisfactory political solution and welcomed the new flexibility that, in his view, the KLA was showing with regard to demands for independence, stating that Albania was working with the KLA to convince them to be more realistic.

23. Speaking in Brussels on 7 December, Foreign Minister Milo voiced pessimism over a solution to the crisis, reaffirmed that Tirana did not subscribe to the idea of a greater Albania and rejected allegations that armed groups were being trained in its territory and sent to Kosovo.

24. The security situation remained tense during the campaign for the referendum on the Constitution held on 22 November. Media distortion and veiled threats of violence, some directed at the international community, and at OSCE in particular, were the main cause.

25. In northern Albania, in a letter sent to central government officials, the Tropoja District Council, the Mayor of Bajram Curri and political parties described the security situation as one of total lawlessness and chaos brought about by the absence of working judicial institutions and effective policing and called upon the Government to take urgent measures.

26. The situation on the northern border between the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia remained stable and calm during the reporting period, without substantive incident. All border crossings remained open and functioned normally. Similarly, the western border has been quiet.

27. The Federal Republic of Yugoslavia objected strongly to the intention of the North Atlantic Treaty Organization (NATO) to deploy an extraction force in the former Yugoslav Republic of Macedonia in relation to the Kosovo Verification Mission and sought to put pressure on the new Government over the issue. However, shortly after its endorsement by Parliament, the Government approved the stationing of NATO forces on Macedonian territory. Prime Minister Georgievski announced that the basis of the decision was the country's wish to achieve NATO membership as soon as possible, in addition to its commitments under the Partnership for Peace and certain status-of-forces agreements.

Measures taken by the Organization for Security and Cooperation in Europe

28. The process of fully establishing the Kosovo Verification Mission has continued since the Agreement between OSCE and the Federal Republic of Yugoslavia of 16 October 1998 and OSCE Permanent Council Decision 263 of 25 October 1998 that formally established the Mission. Its strength on 19 December stood at 888, including 392 local staff, with 180 international staff in headquarters in Pristina and 111 in Regional Centre One (RC1), Prizren. Two coordination centres are established as RC1 sub-stations, in the towns of Orahovac and in Suva Reka. KDOM strength is now at 217. Prizren Regional Centre became fully operational on 11 December; Regional Centre 2 (Mitrovica) became operational on 19 December. All five regional centres will be fully established by the end of January 1999. Staff have now been selected for all regional centres. Liaison offices have been established in Belgrade and Tirana.

29. Patrols by KVM personnel have begun and are coordinated closely with KDOM. KVM submits a regular interim report, instituted as a temporary measure in order to inform OSCE participating States and other international organizations of developments in the Mission area pending full establishment of the Mission. Reporting will subsequently reflect the full range of KVM's verification tasks.

30. Training of KVM verifiers began on 23 November at the Kosovo Verification Mission's induction centre in Hotel Narcis in Brezovica, outside Pristina. Five training courses have been completed; they were conducted by a KVM training team with support from other OSCE missions, OSCE institutions, UNHCR and ICRC. The

syllabus consists of a four-day course with a capacity of up to 125 per course. Subjects taught include communications, policing issues, security, the human dimension and reporting procedures.

31. KVM and OSCE institutions continue to work in close cooperation with other international and humanitarian organizations in Kosovo. A fact-finding visit to Belgrade and Kosovo, led by Ambassador Stoudmann of the Office for Democratic Institutions and Human Rights, was conducted from 22 to 26 November in order to carry out a preliminary assessment of conditions for elections in the region. The group included representatives from the European Commission, the Council of Europe and the International Foundation for Election Systems. KVM and UNHCR hosted a meeting of key humanitarian agencies on 14 December in Pristina to discuss the outlook for the civil population of Kosovo over the winter period.

32. The OSCE Ministerial Meeting was held at Oslo on 2 December and issued a consensus-based statement declaring that "security, human rights, democracy and fundamental freedoms are inseparable". It went on to say that "the ten basic principles of the Helsinki Final Act, together with the current operational capabilities the OSCE has gained throughout the years, have contributed to making this Organization one of the best-suited instruments to address the crisis in Kosovo" (see annex II). Ambassador William Walker, the head of KVM, briefed the OSCE Ministerial Meeting about the situation regarding the KVM. He also briefed the North Atlantic Council in Brussels.

33. Discussions between members of KVM and the Government of the former Yugoslav Republic of Macedonia took place on 8 December to determine arrangements concerning the Mission. The Government agreed to allow KVM members to make emergency use of medical facilities in Skopje and allowed emergency access by air and road under these conditions.

34. KVM carried out its first verification at the barracks of the Yugoslav Army's 549th Motorized Brigade in Prizren on 11 December. This consisted of a meeting at the base followed by an inspection of a company team position in Dobruste, west of Prizren. KVM officials were prevented from conducting an inspection inside the barracks as planned and lodged an official complaint.

35. NATO has begun deployment of an advance force in the former Yugoslav Republic of Macedonia. Secure communications links have been established between KVM headquarters and the Kosovo Verification Coordination Centre in Skopje.

Structure

36. The Prizren Regional Centre has temporarily extended its area of operations to include the Djakovica municipality. Although this falls outside the boundaries of the Prizren political district, there is an operational need for KVM to patrol the area. When the Pec Regional Centre is established, it will undertake KVM patrolling of Djakovica.

37. KVM headquarters received 11 orange-coloured cargo vehicles during the period. There has been a delay in the arrival of armoured vehicles. The first were scheduled to be in Pristina on 18 December.

38. Current strength of KVM and KDOM on the ground in Kosovo is as follows:

KVM

Headquarters mission members	179 personnel and 2 armoured vehicles[a]
Headquarters temporary mission members	20 personnel
Induction centre	33 instructing personnel
Prizren	108 personnel and 21 armoured vehicles
Mitrovica	56 personnel
Belgrade	8 personnel
Pec (embryonic regional centre)	38 personnel
Gujilane (embryonic regional centre)	8 personnel
Pristina (embryonic regional centre)	13 personnel
KVM Local Staff (all locations)	445 personnel
Total	908

KDOM

United States	143 personnel[b] and 37 armoured vehicles
European Union	33 personnel and 14 armoured vehicles
Russian Federation	11 personnel
Canada	3 personnel and one armoured vehicle

[a] Plus 30 armoured vehicles on loan from the United Kingdom of Great Britain and Northern Ireland, and 1 from Sweden; 70 soft-skinned vehicles.

[b] Thirty-three of these are in Belgrade or Skopje.

Annex II

Oslo ministerial draft statement on Kosovo

1. Involvement in Kosovo represents both a test and an opportunity for the Organization for Security and Cooperation in Europe (OSCE). The challenge of Kosovo shows that security, human rights, democracy and fundamental freedoms are inseparable.

2. The plight of the people of Kosovo caught up in violent confrontation and fleeing their homes in fear has moved us all.

3. Thanks to vigorous efforts by the international community, including OSCE, there is now a ceasefire. It is still fragile, but it marks a great step forward for the people of Kosovo. Now further diplomatic efforts are under way to find a political solution. They have our strong support.

4. There is still violence in Kosovo, and this is of deep concern to us. We urge all parties involved to stop the violence and to resolve their differences by peaceful means. We urge them to negotiate a settlement as soon as possible. The international community is determined to help. But only the parties can overcome their differences. The sooner they do so, the sooner the reconstruction and development of Kosovo can make headway.

5. The 10 basic principles of the Helsinki Final Act, together with the current operational capabilities OSCE has gained throughout the years, have contributed to making this Organization one of the best suited instruments to address the crisis in Kosovo. We do not take this challenge lightly. From the very beginning of the conflict in the former Yugoslavia, including Kosovo, we have made every possible effort to contribute to its solution, without reservation.

6. Security Council resolutions 1160 (1998) and 1199 (1998) set out what is required of the parties to bring the confrontation to an end. OSCE has taken on the task of verifying that all parties are complying with these resolutions. OSCE is setting up its largest operation ever, the Kosovo Verification Mission (KVM). Besides verifying compliance, KVM will help to implement the political settlement to be reached by the parties by supervising elections, providing support in building up democratic institutions and assisting with police force development in Kosovo.

7. The OSCE verifiers come to Kosovo as friends of all those attached to the idea of a peaceful, long-lasting political settlement, and to provide assistance where required. In good faith, we will do all we can on our part to help ensure that this endeavour is realized through the coordinated effort of the international community.

8. The Head of KVM, Ambassador Walker, and his team have worked very hard in the past few weeks to establish the Mission. Numbers are building up quickly. We encourage all those involved to continue their excellent work. OSCE will

continue to work closely with other international organizations and NGOs involved in the international effort in Kosovo.

9. The staff of KVM must be able to carry out their duties safely. We urge all parties to the conflict to respect the ceasefire, to comply fully with relevant resolutions of the Security Council, and to cooperate closely with KVM so that it can carry out its duties unimpeded throughout Kosovo.

10. The OSCE verifiers are not a fighting force. Their true protection is the terms of agreement notion of pacta sunt servanda. In case it is required, OSCE welcomes the commitment of other organizations to provide assistance and to protect OSCE and its verifiers in its mission in Kosovo.

11. It is our hope and belief that the Kosovo Verification Mission will make the path to a settlement of the conflict in Kosovo easier. We will continue to give it our full support. But it is for the parties themselves to go down that path and to ensure that the people of Kosovo can look forward to a peaceful future.